

have controlled Congress for 15 months, but we still have not seen this plan. Meanwhile, the cost of gas is setting record highs.

Under their leadership, the national average price of gas has increased by \$1.18. It is time for the House to debate ideas for lowering gas prices. It is time for the Democrats to reveal their plans.

Mr. Speaker, by defeating the previous question, I will move to amend the rule to allow any amendment be made in order on the underlying bill that would, quote, have the effect of lowering the national average price per gallon of regular unleaded gas.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to defeat the previous question so that we can have this debate, so that we can consider these vitally important issues that America's families, workers, truckers, small businesses, and our entire economy face with these rising prices of gasoline.

Mr. Speaker, I yield back the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, I have mainly listened as this debate has unfolded, and I have an observation. This is a sad spectacle. The Congress of the United States has before it now a bill that is intended to address an urgent need to provide research funding for our small businesses.

Small business is the backbone of our economy, it is where most jobs are created, it is where some of the best innovations occur, and where our small businesses need some assistance to put together the financing package required to explore innovative research and development ideas. Our small businesses don't have the funds that are available oftentimes through big venture capital operations. And what we are hearing in this debate is a complete and utter disregard for the content of this bill and, instead, turning it into a political debate that veers wildly away from any truth about what the history of this whole gas crisis is.

Number one, the basic question before us is, are we going to help the research and development needs of our small businesses? We believe it is urgent that we do so, and we won't be deterred by what is now a political argument.

Second, since our friends on the other side have made an accusation that there has been Democratic culpability, almost a conspiracy, in raising gas prices, I want to respond to the absurdity of that.

We have heard from our speakers how the price of a barrel of oil when Presi-

dent Bush took over was \$25, it is now \$119. We know that the war in Iraq, when it started, that catastrophic war, the price was \$35, it is now \$119. But what we also know is that under the leadership of the Republican Congress, we turned a blind eye on the Government's responsibility to look out for the middle class. Why? We destroyed regulatory oversight that is necessary to help folks pulling up with their pickup truck to fill up their gas tank.

This Enron loophole, snuck in, in the middle of the night with the complicity of a Republican Congress is, Mr. Speaker, and I say this intentionally, unconscionable, unconscionable to meeting the needs of average Americans who are trying to work hard and pay their bills. Fifty cents at least in the price of a gallon of gasoline is because the speculators, the hedge fund managers, are singing every day as they make wire transfers to their bank accounts at the expense of everyday Americans.

And my question is, why will not those who are expressing concern about the cost of gasoline and how that impacts small business and impacts our families, why will they not get behind Congressman STUPAK and support The PUMP Act, get rid of the Enron loophole? Why will they not join with many of us who have sent letters to the President imploring him to release the strategic petroleum reserve or at least stop buying. One action would reduce, according to Goldman Sachs, the cost of a gallon of gasoline by 25 cents. And then there is the legislation that we passed that the Republicans voted against.

So what we have is an accusation made by people who every time they have had an opportunity to take a concrete specific action that would help, have said no, have said no to the Enron loophole reform, have said no to The PUMP Act, have said no to stop buying in the strategic petroleum reserves.

So it leaves me with a question. Is what we are hearing about politics, or is it about policy? I have come to my own conclusion. But we are here on a bill that is going to help small business. That is our job. And our job in this rule should be to make that bill a better bill, not to hijack what is a good bill and turn it into a political foot fight.

We have got two issues here that have been injected. One is, are we going to help small business or not? There is broad bipartisan support. The two committees of jurisdiction have done an excellent job.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WELCH of Vermont. I urge a "yes" vote on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1125 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution or the option of the previous question, it shall be in order to consider any amendment to the bill which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 of rule XXI. For purposes of compliance with clause 9(a)(3) of rule XXI, a statement submitted for printing in the Congressional Record by the proponent of such amendment prior to its consideration shall have the same effect as a statement actually printed.

SEC. 4. Within five legislative days the Speaker shall introduce a bill, the title of which is as follows: "A bill to provide a common sense plan to help bring down skyrocketing gas prices." Such bill shall be referred to the appropriate committees of jurisdiction pursuant to clause 1 of rule X.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually